

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>CHARLES TALBERT,</b>	)	
<b>Plaintiff,</b>	)	<b>C.A. No. 24-122 Erie</b>
	)	
<b>v.</b>	)	<b>District Judge Susan Paradise Baxter</b>
	)	<b>Chief Magistrate Judge Richard Lanzillo</b>
<b>RANDY IRWIN, et al.,</b>	)	
<b>Defendants.</b>	)	

**MEMORANDUM ORDER**

Plaintiff Charles Talbert, an inmate incarcerated at the State Correctional Institution at Forest in Marienville, Pennsylvania (“SCI-Forest”), commenced this action in the Forest County Court of Common Pleas, against, *inter alia*, the Pennsylvania Department of Corrections (“DOC”) and multiple DOC employees, most of whom are staffed at SCI-Forest. The action was removed to this Court by notice of removal filed on May 6, 2024 [ECF No. 1], and the case was referred to Chief United States Magistrate Judge Richard A. Lanzillo, for report and recommendation in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

In his complaint, Plaintiff alleges that Defendants violated his constitutional rights by depriving him of adequate medical care for his mental and physical ailments, allowing a guard to sexually harass him, and failing to provide sufficient heat and ventilation in his cell. [ECF No. 1-2].

Presently pending before the Court are five separate motions for temporary injunctive relief [ECF Nos. 5, 8, 9, 17, 18], along with a motion for hearing regarding the second injunction

motion [ECF No. 19]. In his first, fourth and fifth motions [ECF Nos. 5, 17, 18], Plaintiff claims that Defendants have allegedly retaliated against him for filing the instant lawsuit by, *inter alia*, interfering with his mail, spraying him with pepper spray, depriving him of a meal, verbally threatening him, providing urine-soaked meals, and refusing to monitor his safety during a “hunger strike.” In his second motion [ECF No. 8], Plaintiff simply asks the Court to grant him unspecified injunctive relief, while his third motion [ECF No. 9] requests a “writ of mandamus” compelling Defendants “to stop engaging in and/or promoting violence against people of color with the use of Federal dollars.”

On July 2, 2024, Chief Magistrate Judge Lanzillo issued a Report and Recommendation (“R&R”) recommending that Plaintiff’s motions for injunctive relief be denied because Plaintiff alleges facts and claims that are “wholly disconnected” from any of the matters raised in the underlying complaint, and that Plaintiff’s motion for hearing be denied. [ECF No. 22]. No timely objections to the R&R have been filed.

Thus, after *de novo* review of the motion and relevant documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 6th day of August, 2024;

IT IS HEREBY ORDERED that Plaintiff’s motions for temporary injunctive relief [ECF Nos. 5, 8, 9, 17, 18], and motion for hearing [ECF No. 19] are DENIED. The report and recommendation of Chief Magistrate Judge Lanzillo, issued July 2, 2024 [ECF No. 22], is adopted as the opinion of the court.

  
SUSAN PARADISE BAXTER  
United States District Judge

cc: The Honorable Richard A. Lanzillo  
Chief U.S. Magistrate Judge